

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 92-cr-30004-MJR
)	
HORATIO A. SUMRALL,)	
)	
Defendant.)	

ORDER GRANTING *IFP* STATUS ON APPEAL

REAGAN, District Judge:

Because it concluded any appeal from the order denying Defendant's motion to Vacate, Set Aside, or Correct Sentence of Supervised Release would be frivolous, the Court (pursuant to 28 U.S.C. § 1915) twice denied Defendant leave to appeal *in forma pauperis* ("IFP"). In light of the Seventh Circuit's August 27 order, *see* Doc. 394-4, in which it clarifies that 18 U.S.C. § 3006A(a)(1)(E) mandates eligibility for appointed counsel regardless of a Defendant's intended issues for appeal (in other words, that the *Anders* process memorialized at Circuit Rule 51(b) trumps § 1915 and Fed. R. App. P. 24(a)(3)(A)), the undersigned **GRANTS (Doc. 394)** Defendant's Motion for Leave to Appeal IFP.¹

IT IS SO ORDERED.

DATE: September 4, 2014

s/ Michael J. Reagan

MICHAEL J. REAGAN

United States District Judge

¹ The undersigned has already found Defendant indigent. *See* Doc. 390, 1.